

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:18-CV-593-GCM**

GREGORY L. TANN,

**Plaintiff,**

**v.**

FIVE GUYS BURGERS AND FRIES LLC,  
et al.,

**Defendants.**

**ORDER**

**THIS MATTER** is before the Court on the Defendant's Motion to Dismiss Plaintiff's Complaint. The *pro se* Plaintiff filed a complaint against the Defendant on November 8, 2018. The Defendant filed a Motion to Dismiss Plaintiff's Complaint pursuant to Rules 2(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure on January 28, 2019. On January 31, 2019 the Court sent a *Roseboro* Order to the Plaintiff, setting a response deadline of February 15, 2019. The Plaintiff failed to respond.

**IT IS THEREFORE ORDERED** that the Defendant's Motion to Dismiss is hereby **GRANTED** and the Plaintiff's complaint is dismissed with prejudice.

**SO ORDERED.**

Signed: February 26, 2019



Graham C. Mullen  
United States District Judge

